

Richard N. VanCleave, OSB No. 80392

rvancleave@barran.com

Brenda K. Baumgart, OSB No. 99216

bbaumgart@barran.com

BARRAN LIEBMAN LLP

601 SW Second Ave., Suite 2300

Portland, Oregon 97204-3159

Telephone: (503) 228-0500

Facsimile: (503) 274-1212

Attorneys for Defendants
Dell, Inc., and Dell Marketing USA, L.P.

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

DAVID NORMAN and WALTER ROMAS,
individually, and on behalf of a class of others
similarly situated,

CV. 07-6028-TC

Plaintiffs,

v.

DELL INC.; and DELL MARKETING USA,
L.P., and

SPHERION CORPORATION,

**DECLARATION OF BRENDA K.
BAUMGART IN SUPPORT OF
DEFENDANT DELL'S RESPONSE
IN OPPOSITION TO MOTION FOR
CERTIFICATION UNDER 29 U.S.C.
§ 216(b) AND FEDERAL RULE OF
CIVIL PROCEDURE 23**

Defendants.

I, BRENDA K. BAUMGART, state as follows:

1. I am one of the attorneys for Defendants Dell Inc. and Dell Marketing USA, L.P.

in the above-captioned matter.

2. Attached hereto as Exhibit A is a true and correct copy of an article that appeared in the *Roseburg News Review* on February 13, 2007, reprinted from the website

Page 1 - DECLARATION OF BRENDA K. BAUMGART IN SUPPORT OF DEFENDANT DELL'S OPPOSITION TO MOTION FOR CERTIFICATION UNDER 29 U.S.C. § 216(b) AND FEDERAL RULE OF CIVIL PROCEDURE 23

<http://www.newsreview.info.com>.

3. Attached hereto as Exhibit B are true and correct copies of excerpts from the deposition of Aaron Anderson.

4. Attached hereto as Exhibit C are true and correct copies of excerpts from the deposition of Clint Battle.

5. Attached hereto as Exhibit D are true and correct copies of excerpts from the deposition of Sean Beeman.

6. Attached hereto as Exhibit E are true and correct copies of excerpts from the deposition of Richard Hal Bruen.

7. Attached hereto as Exhibit F are true and correct copies of excerpts from the deposition of Sherian Damian.

8. Attached hereto as Exhibit G are true and correct copies of excerpts from the deposition of Travis M. Dominguez.

9. Attached hereto as Exhibit H are true and correct copies of excerpts from the deposition of Nathaniel A. Gregory.

10. Attached hereto as Exhibit I are true and correct copies of excerpts from the deposition of Christopher Michael Guyett.

11. Attached hereto as Exhibit J are true and correct copies of excerpts from the deposition of Teresa Ann Hillmick.

12. Attached hereto as Exhibit K are true and correct copies of excerpts from the deposition of William Lewis Kemp, Jr.

13. Attached hereto as Exhibit L are true and correct copies of excerpts from the deposition of Deb Koehn.

14. Attached hereto as Exhibit M are true and correct copies of excerpts from the deposition of Donald Lucas.

Page 2 - DECLARATION OF BRENDA K. BAUMGART IN SUPPORT OF DEFENDANT
DELL'S OPPOSITION TO MOTION FOR CERTIFICATION UNDER 29 U.S.C.
§ 216(b) AND FEDERAL RULE OF CIVIL PROCEDURE 23

15. Attached hereto as Exhibit N are true and correct copies of excerpts from the deposition of Elizabeth Shawn Maurice.

16. Attached hereto as Exhibit O are true and correct copies of excerpts from the deposition of Cherie Gay McNeil.

17. Attached hereto as Exhibit P are true and correct copies of excerpts from the deposition of Diane Chaffee Moorhead.

18. Attached hereto as Exhibit Q are true and correct copies of excerpts from the deposition of David James Norman.

19. Attached hereto as Exhibit R are true and correct copies of excerpts from the deposition of Patti Jean Powers.

20. Attached hereto as Exhibit S are true and correct copies of excerpts from the deposition of Walter R. Romas, Jr.

21. Attached hereto as Exhibit T are true and correct copies of excerpts from the deposition of Laurence A. Rooker.

22. Attached hereto as Exhibit U are true and correct copies of excerpts from the deposition of Robert Francis Sedani.

23. Attached hereto as Exhibit V are true and correct copies of excerpts from the deposition of Eunice Amanda Smith.

24. Attached hereto as Exhibit W are true and correct copies of excerpts from the deposition of David Ashley Trent.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of February, 2008.

s/Brenda K. Baumgard

Brenda K. Baumgart

Page 3 - DECLARATION OF BRENDAG K. BAUMGART IN SUPPORT OF DEFENDANT
DELL'S OPPOSITION TO MOTION FOR CERTIFICATION UNDER 29 U.S.C.
§ 216(b) AND FEDERAL RULE OF CIVIL PROCEDURE 23

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of February, 2008, I served the foregoing
**DECLARATION OF BRENDA K. BAUMGART IN SUPPORT OF DEFENDANT
DELL'S OPPOSITION TO MOTION FOR CERTIFICATION UNDER 29 U.S.C. § 216(b)
AND FEDERAL RULE OF CIVIL PROCEDURE 23** on the following parties at the
following addresses:

Derek C. Johnson
Douglas G. Schaller
Johnson, Clifton, Larson & Schaller, P.C.
975 Oak Street
Citizen's Building, Suite 1050
Eugene, OR 97401

George A. Hanson
Matthew L. Dameron
Stueve Siegel Hanson Woody LLP
330 West 47th Street, Suite 250
Kansas City, MO 64112

ATTORNEYS FOR PLAINTIFFS

Craig J. Capon
Christine Nesbit
Harrang Long Gary Rudnick P.C.
360 East 10th Ave., Suite 300
Eugene, OR 97401-3248

Samuel T. McAdam
Alfred L. Sanderson, Jr.
Joel Van Parys
Seyfarth Shaw LLP
400 Capitol Mall, Suite 2350
Sacramento, CA 95814-4428

ATTORNEYS FOR DEFENDANT
SPHERION CORPORATION

By causing the same to be: e-mailed mailed hand delivered faxed to them a
true and correct copy thereof.

s/Brenda K. Baumgart
Brenda K. Baumgart